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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>23 July 2008</u>.

2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1 – 2, 4 – 7, 10 – 12, 16, 19 – 20, 22 – 24, 30, and 40 – 44</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1 – 2, 4 – 7, 10 – 12, 16, 19 – 20, 22 – 24, 30, and 40 – 44</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is response to the amendment filed on 7/23/2008 in which claims 1 –

2, 4 – 7, 10 – 12, 16, 19 – 20, 22 – 24, 30, and 40 – 44 are presented for further

examination.

Response to Arguments

2.   Applicant's arguments with respect to claims 1 – 2, 4 – 7, 10 – 12, 16, 19 – 20,

22 – 24, 30, and 40 – 44 have been considered but are moot in view of the new

ground(s) of rejection necessitated by the amendment.

Remarks

3.   As per amended claim 1, applicant argues in substance in pages 16 – 18 that

Pagallo (US 5,544,262) does not disclose "means for showing one or more graphical

representation, graphical representation entity showing calculation expression in tree

form and graphics button displaying different graphical representation".

In response to applicant's argument, Examiner respectively responds that Li et al (US

5,911,138) fully discloses means for showing one or more graphical representation,

graphical representation entity showing calculation expression in tree form and graphics

button displaying different graphical representation (abstract, col.4 lines 59 – 67 and

col.5 lines 1 – 24).

Examiner interprets "represent statement as a node of a tree" is "graphical representation entity showing calculation expression in tree form", "user choosing the type of graphical representation" is "graphics button displaying different graphical representation" as claimed.

As per rejection of claims 2, 4 – 7, 10 – 12, 16, 19 – 20, 22 – 24, 30, and 40 – 44 , see the rejection below.

4.   Thus, Examiner maintains the rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims 1 – 2, 4 – 7, 10 – 12, 16, 19 – 20, 22 – 24, 30, and 40 – 44 rejected under 35 U.S.C. 102(b) as being anticipated by Li et al (US 5,911,138)

As per claim 1, Li et al discloses,

A system for managing calculation expressions (abstract and col.2 lines 1 - 38) where processing and graphically display query result is "managing calculation expression as claimed.

(a) memory means for storing information about said calculation expressions (col.3 lines 25 – 62 and claim 7) where processor controlling search terms is means for storing information about calculation expression" as claimed.

(b) processing means for modifying the content or form of said calculation expressions (abstract, col.2 lines 1 – 38, col.5 lines 7 - 38, and claim 13) where modifying the query statement is "modifying the content or form of said calculation expressions" as claimed.

(c) means for receiving external input (abstract, col.2 lines 1 – 38, col.5 lines 7 - 38, and claim 13) where inputting query statement into device is "receiving external input" as claimed.

and means for showing one or more arboreal graphical representations (abstract, col.4 lines 59 – 67 and col.5 lines 1 – 24) where display graphical representation of result is "showing one or more arboreal graphical representations" as claimed.

wherein an arboreal graphical representation is an entity that shows a calculation expression in the form of a tree (abstract, col.4 lines 59 – 67 and col.5 lines 1 – 24) where display graphical representation of result as a tree is "graphical representation is an entity that shows a calculation expression in the form of a tree" as claimed

and for said arboreal graphical representation, one or more of its nodes show an intermediate subexpression (abstract, col.4 lines 59 – 67 and col.5 lines 1 – 24) where child node is "nodes show an intermediate subexpression" as claimed.

where said intermediate subexpression can be a regular intermediate subexpression or can be an introduced intermediate subexpression (abstract,

col.4 lines 59 – 67 and col.5 lines 1 – 24) where modifying query statement is

"introduced intermediate subexpression" as claimed.

As per claim 2, the rejection of claim 1 is incorporated and further Li et al

discloses,

> **further comprising means for editing said one or more arboreal graphical**

representations (abstract, col.2 lines 1 – 38, col.5 lines 7 - 38, and claim 13) where

modifying the query statement is "editing arboreal graphical representation" as claimed.

wherein said editing comprises one or more of the following actions: (1) creating

after blank situation, (2) modifying, (3) creating after blank situation and

modifying (abstract, col.2 lines 1 – 38, col.5 lines 7 - 38, and claim 13) where

modifying the query statement is editing comprise modifying action" as claimed.

As per claim 4, the rejection of claim 1 is incorporated and further Li et al

discloses,

> **wherein one of said graphical representations is a TOWER STRUCTURE**

wherein said tower structure is characterized by the following: the nodes of the

tree are arranged in vertical fashion, some nodes being located over other nodes,

and said system comprises means to indicate which nodes are the parent of

which nodes (col.4 lines 59 – 67, col.5 lines 1 – 67, and col.6 lines 1 - 65).

As per claim 5, the rejection of claim 1 is incorporated and further Li et al

discloses,

wherein one of said graphical representations is a VERTICAL STRUCTURE,

wherein said vertical structure is characterized by the following: the nodes of the

tree expand in vertical fashion, so that if a node is at a given position, its child

nodes are located at a lower position, and it comprises means for indicating

which nodes are the parents of which nodes (col.4 lines 59 – 67, col.5 lines 1 – 67,

and col.6 lines 1 - 65).

As per claim 6, the rejection of claim 1 is incorporated and further Li et al

discloses, wherein one of said arboreal graphical representations is an

ESCALATOR STRUCTURE, wherein said escalator structure is characterized by

the following: the nodes of the tree are arranged in different levels of a table, and

certain nodes are only visible in certain levels of the table, so that the expression

is read by changing levels in the positions where the transitions between nodes

take place, and there might exist a summary cell that contains the total

expression (col.4 lines 59 – 67, col.5 lines 1 – 67, and col.6 lines 1 - 65).

As per claim 7, the rejection of claim 1 is incorporated and further Li et al

discloses, wherein one of said arboreal graphical representations is a

HORIZONTAL STRUCTURE, wherein said horizontal structure is characterized by

the following: the nodes of the tree expand in horizontal direction, so that a

parent node has a different horizontal position than its child nodes, and said

system comprises means for indicating which nodes are the parents of which

nodes (col.4 lines 59 – 67, col.5 lines 1 – 67, and col.6 lines 1 - 65).

As per claim 10, the rejection of claim 1 is incorporated and further Li et al

discloses,

further comprising means for applying the feature of GROUPING OF PEERS,

which is characterized because said system imposes the condition that the

operators that link different sister nodes have the same type (col.4 lines 59 – 67,

col.5 lines 1 – 67, and col.6 lines 1 - 65).

As per claim 11, the rejection of claim 1 is incorporated and further Li et al

discloses,

further comprising means for applying the feature of SEQUENCIATION OF NON

ASSOCIATIVE OPERATORS, which is characterized by the fact that the system

imposes the obligation that the operators that join sister nodes must satisfy the

associative property (col.4 lines 59 – 67, col.5 lines 1 – 67, and col.6 lines 1 - 65)

As per claim 12, the rejection of claim 1 is incorporated and further Li et al discloses,

further comprising means for applying the functionality of EXPLICATIVE TEXT, whereby a descriptive text is associated to one or more of the nodes of said graphical representations (col.4 lines 59 – 67, col.5 lines 1 – 67, and col.6 lines 1 - 65).

As per claim 16, the rejection of claim 1 is incorporated and further Li et al discloses,

further comprising means for expanding and collapsing nodes in said arboreal graphical structures (col.4 lines 59 – 67, col.5 lines 1 – 67, and col.6 lines 1 - 65).

Claims 19 – 20, 22 – 24, and 30 are method claim corresponding to the system claims 1 - 2, 4 – 6, and 12 respectively, and rejected under the same reason in connection to the rejection of claims 1 - 2, 4 – 6, and 12 respectively above.

As per claim 40, the rejection of claim 1 is incorporated and further Li et al discloses,

further comprising means for applying the functionality of PARTIAL RESULTS, where said functionality is characterized by the following: for one or more nodes, it shows a value that is associated to said node or nodes, wherein said value depends on the evaluation of said expression for said node or nodes (col.4 lines

59 – 67, col.5 lines 1 – 67, and col.6 lines 1 - 65)

As per claim 41, the rejection of claim 1 is incorporated and further Li et al

discloses,

 further comprising means for converting said calculation expression into other

type of entities, such as for example formulae for environments such as

spreadsheet applications, search strings for database applications or Internet

search engines or other types of entities (col.4 lines 59 – 67, col.5 lines 1 – 67, and

col.6 lines 1 - 65)

Claim 42 is a method claim corresponding to the system claim 40, and rejected under

the same reason in connection to the rejection of claim 40 above.

Claim 43 is a computer program claim corresponding to the method claim 19, and

rejected under the same reason in connection to the rejection of claim 19 above.

Claim 44 is a computer readable medium claim corresponding to the method claim 19,

and rejected under the same reason in connection to the rejection of claim 19 above.

Conclusion

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

     A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

     Any inquiry concerning this communication or earlier communications from the

examiner should be directed to AUGUSTINE OBISESAN whose telephone number is

(571)272-2020. The examiner can normally be reached on 7:30 AM - 5:00 PM EST.

     If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Pierre Vital can be reached on 571-272-4215. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Augustine Obisesan/
Examiner, Art Unit 2169

9/24/2008

/J. M. C./

/Pierre M. Vital/
Supervisory Patent Examiner, Art Unit 2169